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STROJNIK, P.C.
L A W Y E R S

Peter K. Strojnik
THE STROJNIK FIRM, LLC
Arizona Bar No 026082
California Bar No 242728
Of Counsel

December 2, 2011

Michael O'Donnell, Esq.
Derrick Freijomil, Esq.
Riker, Danzig, et al
Headquarters Plaza
One Speedwell Avenue
Morristown, NJ 07962-1981
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Re: *Dare Investments, LLC v. Chicago Title*
NO. 2:10-cv-06088-DRD-MAS

Dear Mr. O'Donnell:

As you know, we represent Dare Investments in the above matter. You have repeatedly urged that Dare Investments inadvertently waived its attorney-client privilege as a result of claimed third party communications with Mr. Mocco. You have taken the position that the communications between Dare Investments' principal, Rick McCloskey, and his attorneys regarding the SWJ loan and the Chicago Title Policy through which Chicago Title insured the Sayreville Mortgage in the principal amount of \$5.5 million are both relevant and admissible. You have expressed such extreme interest in my client's confidential communications with his former attorneys that you were ready to risk going to Court on the matter.

We agree that, generally, intentional disclosure of privileged communications to third parties may sometimes lead to a waiver of the attorney-client privilege. More importantly, however, it is our view that the Court and the Jury will greatly benefit by the disclosure of these confidential communications. We stipulate that the attorney-client communications between Mr. McCloskey and his counsel, Messrs. Pratt and Williams, are both relevant and otherwise admissible. On this basis, we stipulate to piercing of the attorney-client privilege relating to the communications leading up to the issuance of the Policy on March 30, 2006, and we further stipulate that all such communications are both relevant and admissible.

This stipulation will become effective upon confirmation of your receipt and acceptance.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Peter Strojnik', with a stylized flourish at the end.

Peter Strojnik

PJS: ps

CC: Client *by e-mail only*

PKS, Esq. *by e-mail only*

CH, Esq. *by e-mail only*

George Pratt, Esq. *by e-mail only*

Paul D. Drobbin, Esq. *by e-mail only*